

Sep. 1, 2010

RECEIVED
San Jose City Clerk

To: City Council Rules + Open Government Committee
2010 SEP -1 A 11:1

From: Nicholas Todd Shackelford

Regarding: "Appeal" to Public Records Act

Requesting for Police Records

9-1-1 recordings of SJPD event on August 2, 2010

Approximately 6:45 pm regarding a disturbance
at San Jose, CA.

Case # P10-214-0800

Offense Investigated: Family Disturbance

Parties Investigated: #1 Amy Shackelford

#2 Nicholas Shackelford

Reason for Appeal: It is my belief that Mary
Converse made a false report to 9-1-1 as she
was at least eight (8) miles away at:

..... (Her Residence)

Three (3) Police cars were at my home

..... in five (5) minutes.

- cont - 1/ of 2

2 / of 2

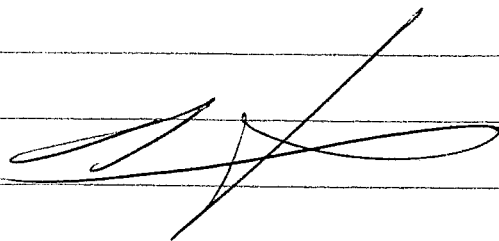
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So in effect - Mary's irresponsible call to 9-1-1 has effected me, and possibly my five (5) year old daughter who was present (at Home) during all the police Activity. There were several times when Chloe was at the door looking at Amy Shackelford (#1) and myself (Nicholas Shackelford #2) talking to the Police.

This is a bad use of 9-1-1, terrible experience for me, and hopefully not a bad memory for my Daughter Chloe who is 5.

Based on the Above I respectfully Appeal the San Jose Police Department's Decision; and request a copy of the tape / 9-1-1 call made by ~~Mark~~ Mary Converse on Aug. 2, 2010 / Case # P10-214-0800.

Thank You:
Nicholas Shackelford





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San Jose City Clerk

2010 SEP -1 A 11:49

San José Police Department

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August 25, 2010

Nicholas Todd Shackelford

Re: Public Records Act Request for Police Records

Dear Mr. Shackelford:

I am in receipt of your Public Records Act request you made by phone on August 3, 2010 and updated by phone on August 25, 2010 in which you requested the following records:

Request: 9-1-1 recordings of SJPD event on August 2, 2010 at approximately 1815 hours regarding a disturbance at

SJPD Response: The Public Records Act treats communications records of complaints and/or requests for service as part of the record of investigation which is exempt from disclosure under Government Code Section 6254(f). Pursuant to California Government Code Section 6254(f)(2), the Department will provide you with the following information concerning San Jose Police event 10-214-0800:

San Jose Police Department Case #P10-214-0800

Time and Date of Dispatch Call: 1907 hours, Monday, August 2, 2010

Time and Date of Dispatch: 1909 hours, Monday, August 2, 2010

Time and Date of Investigation: 1913 hours, Monday, August 2, 2010

Offense / Investigation Location:

Offense Investigated: Family Disturbance

Parties Investigated:

Party #1: Amy Shackelford,

Party #2: Todd Shackelford

Nicholas Shackelford

RE: Police Record - Public Records Act Request

August 25, 2010

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Summary: On 8-2-2010 at approximately 1907 hours SJPD Communications Dispatch received a 911 phone call from a Reporting Party informing of a verbal disturbance between Party #1 and Party #2 at San Jose. The Reporting Party (RP) informed the 911 Operator that she learned of the incident "second hand" and that there was a child also at the residence. Officers Creighton #4013 and Aquila #4133 responded to the residence and investigated the reported incident at 1909 hours. At 1915 hours Officer Creighton informed dispatch that the incident was verbal only and under control. Officer Aquila entered the following information into the Computer Automated Dispatch system via his vehicle computer at 1927 hours: "Verbal only. Getting a divorce. Lots of arguing. RP was not present but heard it over the phone. Provided case receipt and Domestic Violence (DV) info." The incident was not documented on a SJPD report.

If you wish to do so, you may appeal the response to your request with the City Council Rules and Open Government Committee. For information, contact the Office of the City Clerk by calling (408) 535-1260 or by writing to cityclerk@sanjose.gov.

Should you have any questions, please contact Sgt. Fred Mills, Office of the Chief Research and Development Unit at 408 277-5229 or via email at fred.mills@sanjoseca.gov.

Sincerely,

ROBERT L. DAVIS
Chief of Police



Sgt. Fred Mills
Research and Development Unit

RLD:FM